

Message

From: Carbonell, Tomas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15EC2A6AD2934C669F6A675E7CF4961B-CARBONELL,]
Sent: 3/10/2022 4:28:35 PM
To: Culligan, Kevin [Culligan.Kevin@epa.gov]
CC: Koerber, Mike [Koerber.Mike@epa.gov]
Subject: RE: More on turbines

Thanks so much Kevin, really appreciate the update. Yes, let's touch base at OAQPS weekly. I haven't heard more about it myself but will certainly keep you posted if I do.

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Thursday, March 10, 2022 11:01 AM
To: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Cc: Koerber, Mike <Koerber.Mike@epa.gov>
Subject: More on turbines

Ex. 5 Deliberative Process (DP)

Will keep you up to date as I hear more but don't hesitate to reach out if this is becoming a bigger issue for you/OAR and you need us to be doing more.

- Kevin

From: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Sent: Wednesday, March 09, 2022 8:38 AM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: RE: Comments from Cheniere

Thanks!

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Wednesday, March 9, 2022 8:24 AM
To: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Subject: Comments from Cheniere

From: King, Melanie <King.Melanie@epa.gov>
Sent: Wednesday, March 09, 2022 7:50 AM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>
Subject: RE: Cheniere

They did, see attached.

Melanie King (she/her)
Energy Strategies Group

Sector Policies and Programs Division
Office of Air Quality Planning and Standards
(919) 541-2469
king.melanie@epa.gov

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Wednesday, March 9, 2022 7:17 AM
To: Hutson, Nick <Hutson.Nick@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>
Subject: FW: Cheniere

I believe they did file comments? Can we get a copy for Tomas?

From: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Sent: Tuesday, March 08, 2022 8:49 PM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: Cheniere

Hi Kevin, thanks again for taking a few minutes earlier today. Did Cheniere happen to file comments mentioning the LNG facility (I know this was quite a while back)? Best,

Tomás

Message

From: Goffman, Joseph [Goffman.Joseph@epa.gov]
Sent: 5/7/2022 3:40:43 PM
To: Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]
Subject: FW: Cheniere--Potential Suit

Ex. 5 Deliberative Process (DP)

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>
Sent: Saturday, May 7, 2022 11:39 AM
To: Hoffer, Melissa <Hoffer.Melissa@epa.gov>
Cc: Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Subject: Re: Cheniere--Potential Suit

Ex. 5 Attorney Client (AC)

++++
he/him/his
(202) 695-6287 (c)

On May 6, 2022, at 7:09 PM, Hoffer, Melissa <Hoffer.Melissa@epa.gov> wrote:

Peter / Gautam / Matt,

Ex. 5 Attorney Client (AC)

Thanks,
Melissa

Melissa A. Hoffer
Principal Deputy General Counsel

U.S. Environmental Protection Agency
Office of General Counsel
1200 Pennsylvania Avenue, NW
Washington, DC 20460
T: 202.440.1671
E: hoffer.melissa@epa.gov

Message

From: Hoffer, Melissa [Hoffer.Melissa@epa.gov]
Sent: 5/9/2022 4:45:38 PM
To: Marks, Matthew [Marks.Matthew@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]
CC: Srinivasan, Gautam [Srinivasan.Gautam@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]
Subject: RE: Cheniere--Potential Suit

Thanks.

From: Marks, Matthew <Marks.Matthew@epa.gov>
Sent: Monday, May 9, 2022 11:41 AM
To: Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>
Cc: Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Subject: RE: Cheniere--Potential Suit

Hi Melissa,

Ex. 5 Attorney Client (AC)

Matt

Matthew C. Marks
Deputy Associate General Counsel
Air and Radiation Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
T: 202-564-3276
M: 202-603-6170
E: marks.matthew@epa.gov

From: Hoffer, Melissa <Hoffer.Melissa@epa.gov>
Sent: Monday, May 9, 2022 11:38 AM
To: Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>
Cc: Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Subject: RE: Cheniere--Potential Suit
Importance: High

That's helpful, Peter, thanks.

Ex. 5 Attorney Client (AC)

From: Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>
Sent: Monday, May 9, 2022 10:28 AM
To: Hoffer, Melissa <Hoffer.Melissa@epa.gov>

Cc: Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>

Subject: RE: Cheniere--Potential Suit

Hi Melissa,

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

From: Hoffer, Melissa <Hoffer.Melissa@epa.gov>

Sent: Monday, May 9, 2022 9:26 AM

To: Hoffer, Melissa <Hoffer.Melissa@epa.gov>

Cc: Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>

Subject: Re: Cheniere--Potential Suit

Hi folks,

Ex. 5 Attorney Client (AC)

Thanks.

Sent from my iPhone

On May 7, 2022, at 4:40 PM, Hoffer, Melissa <hoffer.melissa@epa.gov> wrote:

Ex. 5 Attorney Client (AC)

From: Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>

Sent: Saturday, May 7, 2022 11:39 AM

To: Hoffer, Melissa <Hoffer.Melissa@epa.gov>

Cc: Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>

Subject: Re: Cheniere--Potential Suit

Ex. 5 Attorney Client (AC)

+++++

he/him/his

(202) 695-6287 (c)

On May 6, 2022, at 7:09 PM, Hoffer, Melissa <Hoffer.Melissa@epa.gov> wrote:

Peter / Gautam / Matt,

Ex. 5 Attorney Client (AC)

Thanks,
Melissa

Melissa A. Hoffer
Principal Deputy General Counsel
U.S. Environmental Protection Agency
Office of General Counsel
1200 Pennsylvania Avenue, NW
Washington, DC 20460
T: 202.440.1671
E: hoffer.melissa@epa.gov

Message

From: Rakosnik, Delaney [rakosnik.delaney@epa.gov]
Sent: 3/31/2022 9:28:58 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

That's a very nice complement.

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Thursday, March 31, 2022 4:47 PM
To: Segal, Scott <scott.segal@bracewell.com>; McCabe, Janet <McCabe.Janet@epa.gov>
Cc: Utech, Dan <Utech.Dan@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Rakosnik, Delaney <rakosnik.delaney@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Hi, Scott. Delaney, copied, runs the show around here. She will connect us. Thanks.

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Segal, Scott <scott.segal@bracewell.com>
Sent: Thursday, March 31, 2022 4:44 PM
To: McCabe, Janet <McCabe.Janet@epa.gov>
Cc: Goffman, Joseph <Goffman.Joseph@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Janet, Joe and Dan – thank you so much for your attention to this matter. Joe, will shortly be in touch, ss/

SCOTT SEGAL

Partner
scott.segal@policyres.com
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From: McCabe, Janet <McCabe.Janet@epa.gov>
Sent: Thursday, March 31, 2022 4:42 PM

To: Segal, Scott <scott.segal@bracewell.com>
Cc: Goffman, Joseph <Goffman.Joseph@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Hi Scott—just getting back to you after having talked with Joe Goffman and others in the Air Office and Office of General Counsel, so I understand more about the background and current situation. I think what makes most sense as a next step for your client is to set up time to speak with Joe and his team to talk the situation through. I am copying Joe here so you will be directly connected.

I've asked Joe and team to keep me informed about discussions going forward.

All the best,

Janet

Janet G. McCabe, Deputy Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
MC1102A, Room 3412WJCN
Washington, DC 20460
(202)-564-4711
mccabe.janet@epa.gov
She/her/hers

From: Segal, Scott <scott.segal@bracewell.com>
Sent: Thursday, March 24, 2022 2:46 PM
To: McCabe, Janet <McCabe.Janet@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>
Cc: Wyman, Christine <christine.wyman@bracewell.com>; Pemberton, Brittany <brittany.pemberton@bracewell.com>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Janet – thanks much. I'm having dinner tonight with Dean Mooney btw! Cheers, ss/

SCOTT SEGAL

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From: McCabe, Janet <McCabe.Janet@epa.gov>
Sent: Thursday, March 24, 2022 12:45 PM
To: Segal, Scott <scott.segal@bracewell.com>; Utech, Dan <Utech.Dan@epa.gov>
Cc: Wyman, Christine <christine.wyman@bracewell.com>; Pemberton, Brittany <brittany.pemberton@bracewell.com>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Scott—so sorry not to have responded more promptly. I appreciate this coming to the top of my inbox—we will focus on your note.

Janet

From: Segal, Scott <scott.segal@bracewell.com>
Sent: Thursday, March 24, 2022 11:37 AM
To: McCabe, Janet <McCabe.Janet@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>
Cc: Wyman, Christine <christine.wyman@bracewell.com>; Pemberton, Brittany <brittany.pemberton@bracewell.com>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Janet – just bringing this up in your inbox and adding Dan Utech as well. (Hello Dan).

Also, couldn't help but notice that, according to Sec. Granholm this morning, the President intends to make an announcement "soon" in response to talks between U.S. and European leaders about increasing LNG exports to Europe. Resolving this regulatory uncertainty seems consistent with that goal. Thanks, and looking forward to discussing at your earliest convenience, ss/

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From: Segal, Scott <scott.segal@bracewell.com>
Sent: Tuesday, March 15, 2022 6:21 PM
To: mccabe.janet@epa.gov
Cc: Wyman, Christine <christine.wyman@bracewell.com>; Pemberton, Brittany <brittany.pemberton@bracewell.com>
Subject: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Hello Janet – hope this email finds you well. It's been too long since we've caught up.

I'm reaching out to alert to you a regulatory issue of great significance to the liquefied natural gas (LNG) industry and Cheniere Energy in particular. I've attached a letter on the matter that was sent to EPA on March 8 on behalf of

Cheniere, the leading producer of LNG in the United States. I think yours may be the ideal office to consider this issue because there appears to be some diversity of opinion regarding the topic in other EPA offices, and because of your significant background with the Clean Air Act.

The issue involves the final rule published on March 9, 2022 titled "*National Emission Standards for Hazardous Air Pollutants: Stationary Combustion Turbines; Amendments*," 87 Fed. Reg. 13,183. The rule lifts a 2004 regulatory stay of the effectiveness of emission standards for certain stationary combustion turbines. Cheniere operates two LNG facilities on the U.S. Gulf Coast where it uses 62 combustion turbines subject to the rule. These turbines were permitted, authorized, built, installed and operated in reliance on applicable requirements in effect at the time. They will now need to demonstrate compliance with emission standards within 180 days of March 9—a timeline that is insufficient to address complex technical and engineering concerns.

Unfortunately, the rule creates some significant operational uncertainty at a time when Russia's invasion of Ukraine has shaken global energy markets and threatens to disrupt energy supply to Europe, where U.S. LNG has a significant role to play in providing reliable supplies of natural gas. In fact, according to the EIA, the United States supplied more than half of all LNG imports into Europe for the month of Jan. 2022. More than 70% of the cargoes originating from Cheniere facilities in 2022 have been delivered to Europe.

We'd appreciate your attention to this matter. Would it be possible to brief you or your team? There is some urgency on this one.

/ss

.....
SCOTT SEGAL

Partner

scott.segal@policyres.com

T: +1.202.828.5845 | F: +1.800.404.3970

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Message

From: McCabe, Janet [McCabe.Janet@epa.gov]
Sent: 3/24/2022 9:33:10 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: Fwd: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery
Attachments: image6b50a0.PNG; Cheniere Energy Inc. Request to EPA (3-8-22).pdf

Hey Joe—

Have you seen the attached letter? Can I get a quick briefing from you Or Tomas or whoever about this issue and what you guys are thinking?

Turns out 15 minutes May not be enough tomorrow morning—issues keep arising!
Sent from my iPhone

Begin forwarded message:

From: "Segal, Scott" <scott.segal@bracewell.com>
Date: March 15, 2022 at 6:23:09 PM EDT
To: "McCabe, Janet" <McCabe.Janet@epa.gov>
Cc: "Wyman, Christine" <christine.wyman@bracewell.com>, "Pemberton, Brittany" <brittany.pemberton@bracewell.com>
Subject: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Hello Janet – hope this email finds you well. It's been too long since we've caught up.

I'm reaching out to alert to you a regulatory issue of great significance to the liquefied natural gas (LNG) industry and Cheniere Energy in particular. I've attached a letter on the matter that was sent to EPA on March 8 on behalf of Cheniere, the leading producer of LNG in the United States. I think yours may be the ideal office to consider this issue because there appears to be some diversity of opinion regarding the topic in other EPA offices, and because of your significant background with the Clean Air Act.

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Unfortunately, the rule creates some significant operational uncertainty at a time when Russia's invasion of Ukraine has shaken global energy markets and threatens to disrupt energy supply to Europe, where U.S. LNG has a significant role to play in providing reliable supplies of natural gas. In fact, according to the EIA, the United States supplied more than half of all LNG imports into Europe for the month of Jan. 2022. More than 70% of the cargoes originating from Cheniere facilities in 2022 have been delivered to Europe.

We'd appreciate your attention to this matter. Would it be possible to brief you or your team? There is some urgency on this one.

/ss

SCOTT SEGAL

Partner

scott.segal@policyres.com

T: +1.202.828.5845 | F: +1.800.404.3970

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Message

From: Hutson, Nick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B7E6DC331D174798A3A269070576D896-HUTSON, NICK]
Sent: 3/9/2022 3:33:30 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]
CC: King, Melanie [King.Melanie@epa.gov]; Culligan, Kevin [Culligan.Kevin@epa.gov]; Argentieri, Sabrina [argentieri.sabrina@epa.gov]
Subject: RE: Bracewell letter re Cheniere

Greg,

No, we have not developed any materials specifically on this issue.

There is a Fact Sheet on the final action lifting the stay ...

<https://www.epa.gov/system/files/documents/2022-03/turbine-neshap-amendments-final-rule-fact-sheet-final.pdf>

I think the notice lifting the stay published in today's FR.

Nick

Nick Hutson, PhD

Group Leader
Energy Strategies Group
Office of Air Quality Planning & Standards
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
Office: 919 541 2968
Mobile: 919 864-1853
email: hutson.nick@epa.gov

From: Fried, Gregory <Fried.Gregory@epa.gov>
Sent: Wednesday, March 09, 2022 9:38 AM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Kevin/Nick,

Is there briefing material we share with our mgt.

Greg

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Wednesday, March 9, 2022 8:36 AM
To: Hutson, Nick <Hutson.Nick@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>

Cc: King, Melanie <King.Melanie@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Ex. 5 Deliberative Process (DP)

From: Hutson, Nick <Hutson.Nick@epa.gov>

Sent: Wednesday, March 09, 2022 8:32 AM

To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>

Cc: King, Melanie <King.Melanie@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Adding Kevin ... I do not know the answer to this question ... but Kevin may.

Do you know if/when Joe or Tomas is going to reach out to Larry?

Nick Hutson, PhD

Group Leader

Energy Strategies Group

Office of Air Quality Planning & Standards

U.S. Environmental Protection Agency

Research Triangle Park, NC 27711

Office: 919 541 2968

Mobile: 919 864-1853

email: hutson.nick@epa.gov

From: Argentieri, Sabrina <argentieri.sabrina@epa.gov>

Sent: Wednesday, March 09, 2022 8:29 AM

To: Hutson, Nick <Hutson.Nick@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>

Cc: King, Melanie <King.Melanie@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Thanks Nick and Melanie. I briefed Greg and Sara after our call about Cheniere's verbal request.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Do you know if/when Joe or Tomas is going to reach out to Larry?

Greg, did Rosemarie want this flagged for Larry on Thursday?

From: Hutson, Nick <Hutson.Nick@epa.gov>

Sent: Wednesday, March 9, 2022 8:22 AM

To: Fried, Gregory <Fried.Gregory@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>

Cc: King, Melanie <King.Melanie@epa.gov>

Subject: FW: Bracewell letter re Cheniere

FYI

Nick Hutson, PhD

Group Leader
Energy Strategies Group
Office of Air Quality Planning & Standards
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
Office: 919 541 2968
Mobile: 919 864-1853
email: hutson.nick@epa.gov

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Wednesday, March 09, 2022 7:17 AM
To: Lassiter, Penny <Lassiter.Penny@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; King, Melanie <King.Melanie@epa.gov>
Cc: Koerber, Mike <Koerber.Mike@epa.gov>
Subject: FW: Bracewell letter re Cheniere

I imagine this will still get controlled down to us.

From: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Sent: Tuesday, March 08, 2022 10:23 PM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: Bracewell letter re Cheniere

In case you have not seen this...

Message

From: King, Melanie [King.Melanie@epa.gov]
Sent: 3/25/2022 7:15:03 PM
To: Culligan, Kevin [Culligan.Kevin@epa.gov]
CC: Hutson, Nick [Hutson.Nick@epa.gov]
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Thanks Kevin. Will OGC be included? I think DOJ has been in frequent contact with them about this issue.

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Friday, March 25, 2022 3:08 PM
To: Hutson, Nick <Hutson.Nick@epa.gov>; Lassiter, Penny <Lassiter.Penny@epa.gov>; King, Melanie <King.Melanie@epa.gov>
Subject: Fwd: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Sent from my iPhone

Begin forwarded message:

From: "Carbonell, Tomas" <Carbonell.Tomas@epa.gov>
Date: March 25, 2022 at 10:36:40 AM EDT
To: "Culligan, Kevin" <Culligan.Kevin@epa.gov>, "Hooper, Daniel" <hooper.daniel@epa.gov>
Cc: "Goffman, Joseph" <Goffman.Joseph@epa.gov>, "Lassiter, Penny" <Lassiter.Penny@epa.gov>, "Tsirigotis, Peter" <Tsirigotis.Peter@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Hi Kevin, thanks very much and looping in Dan here, who is working to set up the briefing. I think we're aiming to have a discussion early to middle next week, as it seems likely we'll be fielding incoming inquiries on this soon and we want to make sure Janet is prepared. Really appreciate these updates. Best,

Tomás

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Friday, March 25, 2022 9:55 AM
To: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Cc: Goffman, Joseph <Goffman.Joseph@epa.gov>; Lassiter, Penny <Lassiter.Penny@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Tomas,

When would you need someone from OAR to be available to discuss this? Working with Penny and Nick to figure out who would be best/most in command of all of the issues. **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

- Kevin

From: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Sent: Thursday, March 24, 2022 8:53 PM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>
Cc: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Hi Kevin, thanks – I think it would be helpful for you to join this discussion when it happens. Should we include anyone from OECA as well?

Ex. 5 Deliberative Process (DP)

Best,

Tomás

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Thursday, March 24, 2022 6:38 PM
To: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Subject: Re: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Do you have what you need?

Sent from my iPhone

On Mar 24, 2022, at 5:45 PM, Carbonell, Tomas <Carbonell.Tomas@epa.gov> wrote:

Hi Kevin, FYI.

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Thursday, March 24, 2022 5:39 PM
To: McCabe, Janet <McCabe.Janet@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>; Kabanda, Thierry <Kabanda.Thierry@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Yes. Have seen the letter and we know the issue. I believe the industry, including this company, have been on notice for quite a while that this was coming. We will set up a briefing. Thanks.

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: McCabe, Janet <McCabe.Janet@epa.gov>
Sent: Thursday, March 24, 2022 5:33 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: Fwd: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Hey Joe—

Have you seen the attached letter? Can I get a quick briefing from you Or Tomas or whoever about this issue and what you guys are thinking?

Turns out 15 minutes May not be enough tomorrow morning—issues keep arising!
Sent from my iPhone

Begin forwarded message:

From: "Segal, Scott" <scott.segal@bracewell.com>
Date: March 15, 2022 at 6:23:09 PM EDT
To: "McCabe, Janet" <McCabe.Janet@epa.gov>
Cc: "Wyman, Christine" <christine.wyman@bracewell.com>, "Pemberton, Brittany" <brittany.pemberton@bracewell.com>
Subject: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Hello Janet – hope this email finds you well. It's been too long since we've caught up.

I'm reaching out to alert to you a regulatory issue of great significance to the liquefied natural gas (LNG) industry and Cheniere Energy in particular. I've attached a letter on the matter that was sent to EPA on March 8 on behalf of Cheniere, the leading producer of LNG in the United States. I think yours may be the ideal office to consider this issue because there appears to be some diversity of opinion regarding the topic in other EPA offices, and because of your significant background with the Clean Air Act.

The issue involves the final rule published on March 9, 2022 titled "National Emission Standards for Hazardous Air Pollutants: Stationary Combustion Turbines; Amendments," 87 Fed. Reg. 13,183. The rule lifts a 2004 regulatory stay of the effectiveness of emission standards for certain stationary combustion turbines. Cheniere operates two LNG facilities on the U.S. Gulf Coast where it uses 62 combustion turbines subject to the rule. These turbines were permitted, authorized, built,

installed and operated in reliance on applicable requirements in effect at the time. They will now need to demonstrate compliance with emission standards within 180 days of March 9—a timeline that is insufficient to address complex technical and engineering concerns.

Unfortunately, the rule creates some significant operational uncertainty at a time when Russia's invasion of Ukraine has shaken global energy markets and threatens to disrupt energy supply to Europe, where U.S. LNG has a significant role to play in providing reliable supplies of natural gas. In fact, according to the EIA, the United States supplied more than half of all LNG imports into Europe for the month of Jan. 2022. More than 70% of the cargoes originating from Cheniere facilities in 2022 have been delivered to Europe.

We'd appreciate your attention to this matter. Would it be possible to brief you or your team? There is some urgency on this one.

/ss

SCOTT SEGAL

Partner

scott.segal@policyres.com

T: +1.202.828.5845 | F: +1.800.404.3970

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2001 M Street NW, Suite 900 | Washington, D.C. | 20036-3310

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Message

From: King, Melanie [King.Melanie@epa.gov]
Sent: 3/25/2022 12:47:58 PM
To: Hutson, Nick [Hutson.Nick@epa.gov]
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Okay thanks. It wasn't clear if they're going to set up meetings or we have to request them.

From: Hutson, Nick <Hutson.Nick@epa.gov>
Sent: Friday, March 25, 2022 8:45 AM
To: King, Melanie <King.Melanie@epa.gov>
Subject: Re: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Trying to get clarification from Penny.

Sent from my iPhone

On Mar 25, 2022, at 8:41 AM, King, Melanie <King.Melanie@epa.gov> wrote:

So should I put in meeting requests for Peter and Joe? What dates should we ask for? Is 30 minutes enough time?

From: Hutson, Nick <Hutson.Nick@epa.gov>
Sent: Friday, March 25, 2022 7:53 AM
To: Lassiter, Penny <Lassiter.Penny@epa.gov>
Cc: Cozzie, David <Cozzie.David@epa.gov>; South, Peter <South.Peter@epa.gov>; Mills, Kathy <Mills.Kathy@epa.gov>; Gmyr, Joanna <Gmyr.Joanna@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Penny,

I've cc'd Melanie ... she has already developed a pager on this. If we prefer a PowerPoint, then I'm sure the pager can be converted pretty easily. However, I'm guessing the pager will be OK.

I've also cc'd Kevin because I know he's been in communication w/ Tomas on this and issue and I want to make sure that we're all working together.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Nick

Nick Hutson, PhD

Group Leader
Energy Strategies Group
Office of Air Quality Planning & Standards
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
Office: 919 541 2968
Mobile: 919 864-1853
email: hutson.nick@epa.gov

From: Lassiter, Penny <Lassiter.Penny@epa.gov>
Sent: Thursday, March 24, 2022 7:32 PM
To: Hutson, Nick <Hutson.Nick@epa.gov>
Cc: Cozzie, David <Cozzie.David@epa.gov>; South, Peter <South.Peter@epa.gov>; Mills, Kathy <Mills.Kathy@epa.gov>; Gmyr, Joanna <Gmyr.Joanna@epa.gov>
Subject: Fwd: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Nick- we need to set up briefing for Dep Adm and the pre briefs starting with Peter.

Sent from my iPhone

Begin forwarded message:

From: "Tsirigotis, Peter" <Tsirigotis.Peter@epa.gov>
Date: March 24, 2022 at 7:27:48 PM EDT
To: "Lassiter, Penny" <Lassiter.Penny@epa.gov>
Subject: Fwd: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

See below and let's talk.

Begin forwarded message:

From: "McCabe, Janet" <McCabe.Janet@epa.gov>
Date: March 24, 2022 at 6:07:57 PM EDT
To: "Goffman, Joseph" <Goffman.Joseph@epa.gov>
Cc: "Campbell, Ann" <Campbell.Ann@epa.gov>, "Carbonell, Tomas" <Carbonell.Tomas@epa.gov>, "Tsirigotis, Peter"

<Tsirigotis.Peter@epa.gov>, "Hooper, Daniel"
<hooper.daniel@epa.gov>, "Kabanda, Thierry"
<Kabanda.Thierry@epa.gov>, "Atkinson, Emily"
<Atkinson.Emily@epa.gov>

Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Thanks, Joe. Adding Emily for scheduling purposes.

Janet

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Thursday, March 24, 2022 5:39 PM
To: McCabe, Janet <McCabe.Janet@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>; Kabanda, Thierry <Kabanda.Thierry@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Yes. Have seen the letter and we know the issue. I believe the industry, including this company, have been on notice for quite a while that this was coming. We will set up a briefing. Thanks.

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: McCabe, Janet <McCabe.Janet@epa.gov>
Sent: Thursday, March 24, 2022 5:33 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: Fwd: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Hey Joe—

Have you seen the attached letter? Can I get a quick briefing from you Or Tomas or whoever about this issue and what you guys are thinking?

Turns out 15 minutes May not be enough tomorrow morning—issues keep arising!
Sent from my iPhone

Begin forwarded message:

From: "Segal, Scott" <scott.segal@bracewell.com>
Date: March 15, 2022 at 6:23:09 PM EDT
To: "McCabe, Janet" <McCabe.Janet@epa.gov>
Cc: "Wyman, Christine"

<christine.wyman@bracewell.com>, "Pemberton,
Brittany" <brittany.pemberton@bracewell.com>
**Subject: Subpart YYYY NESHAP Compliance and
Uncertainty for LNG Delivery**

Hello Janet – hope this email finds you well. It's been too long since we've caught up.

I'm reaching out to alert to you a regulatory issue of great significance to the liquefied natural gas (LNG) industry and Cheniere Energy in particular. I've attached a letter on the matter that was sent to EPA on March 8 on behalf of Cheniere, the leading producer of LNG in the United States. I think yours may be the ideal office to consider this issue because there appears to be some diversity of opinion regarding the topic in other EPA offices, and because of your significant background with the Clean Air Act.

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Unfortunately, the rule creates some significant operational uncertainty at a time when Russia's invasion of Ukraine has shaken global energy markets and threatens to disrupt energy supply to Europe, where U.S. LNG has a significant role to play in providing reliable supplies of natural gas. In fact, according to the EIA, the United States supplied more than half of all LNG imports into Europe for the month of Jan. 2022. More than 70% of the cargoes originating from Cheniere facilities in 2022 have been delivered to Europe.

We'd appreciate your attention to this matter. Would it be possible to brief you or your team? There is some urgency on this one.

/ss

SCOTT SEGAL

Partner

scott.segal@policyres.com

T: +1.202.828.5845 | F: +1.800.404.3970

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2001 M Street NW, Suite 900 | Washington, D.C. | 20036-3310

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Message

From: Moeller, Njeri [Moeller.Njeri@epa.gov]
Sent: 3/28/2022 2:32:59 PM
To: Culligan, Kevin [Culligan.Kevin@epa.gov]
CC: Hutson, Nick [Hutson.Nick@epa.gov]
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Thank you, sending forward.

Njeri Moeller (she/her/hers)

U.S. Environmental Protection Agency
OAR/OAQPS IO Special Assistant – Detail
109 TW Alexander Drive
Research Triangle Park, NC 27711
Phone: 919-541-1380 | Email: Moeller.njeri@epa.gov

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Monday, March 28, 2022 10:29 AM
To: Moeller, Njeri <Moeller.Njeri@epa.gov>
Cc: Hutson, Nick <Hutson.Nick@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Yes

From: Moeller, Njeri <Moeller.Njeri@epa.gov>
Sent: Monday, March 28, 2022 10:29 AM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>
Cc: Hutson, Nick <Hutson.Nick@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Remove Gautam from the list?

Njeri Moeller (she/her/hers)

U.S. Environmental Protection Agency
OAR/OAQPS IO Special Assistant – Detail
109 TW Alexander Drive
Research Triangle Park, NC 27711
Phone: 919-541-1380 | Email: Moeller.njeri@epa.gov

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Monday, March 28, 2022 10:28 AM
To: Moeller, Njeri <Moeller.Njeri@epa.gov>
Cc: Hutson, Nick <Hutson.Nick@epa.gov>
Subject: FW: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

OGC would like three people

Matt Marks
Lea Anderson
Sheila Igoe

From: Marks, Matthew <Marks.Matthew@epa.gov>
Sent: Monday, March 28, 2022 10:04 AM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Myself, Lea, and Sheila Igoe

Matthew C. Marks
Deputy Associate General Counsel
Air and Radiation Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
T: 202-564-3276
M: 202-603-6170
E: marks.matthew@epa.gov

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Monday, March 28, 2022 10:04 AM
To: Marks, Matthew <Marks.Matthew@epa.gov>
Subject: FW: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Who do we want from OGC for a meeting on the Cheniere turbine issue? It will be with Joe. Because it is with Janet, we should keep it reasonably small.

From: Hutson, Nick <Hutson.Nick@epa.gov>
Sent: Monday, March 28, 2022 10:00 AM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>
Cc: Moeller, Njeri <Moeller.Njeri@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

I think Greg Fried from OECA is very familiar with this issue. He's a group leader/manager ... and may want more senior leadership present as well.

For OGC, I'd say that Matt Marks or Gautham S. would be most appropriate.

Nick

Nick Hutson, PhD

Group Leader
Energy Strategies Group
Office of Air Quality Planning & Standards
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
Office: 919 541 2968
Mobile: 919 864-1853
email: hutson.nick@epa.gov

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Monday, March 28, 2022 9:17 AM
To: Hutson, Nick <Hutson.Nick@epa.gov>
Cc: Moeller, Njeri <Moeller.Njeri@epa.gov>
Subject: FW: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Who should we add from OGC and OECA? (include Njeri on your reply)

From: Moeller, Njeri <Moeller.Njeri@epa.gov>
Sent: Friday, March 25, 2022 10:49 AM
To: Koerber, Mike <Koerber.Mike@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Thank you!

Njeri Moeller (she/her/hers)
U.S. Environmental Protection Agency
OAR/OAQPS IO Special Assistant – Detail
109 TW Alexander Drive
Research Triangle Park, NC 27711
Phone: 919-541-1380 | Email: Moeller.njeri@epa.gov

From: Koerber, Mike <Koerber.Mike@epa.gov>
Sent: Friday, March 25, 2022 10:43 AM
To: Moeller, Njeri <Moeller.Njeri@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Please add Nick, Robin and Peter.

From: Moeller, Njeri <Moeller.Njeri@epa.gov>
Sent: Friday, March 25, 2022 10:39 AM
To: Koerber, Mike <Koerber.Mike@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: FW: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

For this meeting should it include Mike, Kevin, Tim, Penny, and David?

Kevin – Is there an OECA counterpart that you think would want to attend?

Njeri Moeller (she/her/hers)
U.S. Environmental Protection Agency
OAR/OAQPS IO Special Assistant – Detail
109 TW Alexander Drive
Research Triangle Park, NC 27711
Phone: 919-541-1380 | Email: Moeller.njeri@epa.gov

From: Hooper, Daniel <hooper.daniel@epa.gov>
Sent: Friday, March 25, 2022 10:28 AM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>; Moeller, Njeri <Moeller.Njeri@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Hi Kevin and Mike,

Please see the briefing request from Janet McCabe in the email chain below (and also see attachment).

This morning Joe said he'd like this briefing to be 45 minutes and occur early to mid-next week. Could OAQPS work on identifying who should attend this meeting (including if OECA should be included), and any materials that would be helpful? I'm coordinating with the DA's office now to try and find a time slot.

Thanks
Dan

Daniel Hooper
Assistant Chief of Staff
Office of Air and Radiation, US EPA
hooper.daniel@epa.gov
202.343.9167 office

Pronouns: He/Him/His

From: McCabe, Janet <McCabe.Janet@epa.gov>
Sent: Thursday, March 24, 2022 6:08 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>; Kabanda, Thierry <Kabanda.Thierry@epa.gov>; Atkinson, Emily <Atkinson.Emily@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

Thanks, Joe. Adding Emily for scheduling purposes.

Janet

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Thursday, March 24, 2022 5:39 PM
To: McCabe, Janet <McCabe.Janet@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>; Kabanda, Thierry <Kabanda.Thierry@epa.gov>
Subject: RE: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

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Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

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To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: Fwd: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery

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Sent from my iPhone

Begin forwarded message:

From: "Segal, Scott" <scott.segal@bracewell.com>
Date: March 15, 2022 at 6:23:09 PM EDT
To: "McCabe, Janet" <McCabe.Janet@epa.gov>
Cc: "Wyman, Christine" <christine.wyman@bracewell.com>, "Pemberton, Brittany" <brittany.pemberton@bracewell.com>
Subject: Subpart YYYY NESHP Compliance and Uncertainty for LNG Delivery

Hello Janet – hope this email finds you well. It's been too long since we've caught up.

I'm reaching out to alert to you a regulatory issue of great significance to the liquefied natural gas (LNG) industry and Cheniere Energy in particular. I've attached a letter on the matter that was sent to EPA on March 8 on behalf of Cheniere, the leading producer of LNG in the United States. I think yours may be the ideal office to consider this issue because there appears to be some diversity of opinion regarding the topic in other EPA offices, and because of your significant background with the Clean Air Act.

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Unfortunately, the rule creates some significant operational uncertainty at a time when Russia's invasion of Ukraine has shaken global energy markets and threatens to disrupt energy supply to Europe, where U.S. LNG has a significant role to play in providing reliable supplies of natural gas. In fact, according to the EIA, the United States supplied more than half of all LNG imports into Europe for the month of Jan. 2022. More than 70% of the cargoes originating from Cheniere facilities in 2022 have been delivered to Europe.

We'd appreciate your attention to this matter. Would it be possible to brief you or your team? There is some urgency on this one.

/ss

SCOTT SEGAL

Partner

scott.segal@policyres.com

T: +1.202.828.5845 | F: +1.800.404.3970

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2001 M Street NW, Suite 900 | Washington, D.C. | 20036-3310

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Message

From: King, Melanie [King.Melanie@epa.gov]
Sent: 3/29/2022 5:59:53 PM
To: Anderson, Lea [anderson.lea@epa.gov]; Hutson, Nick [Hutson.Nick@epa.gov]; Igoe, Sheila [Igoe.Sheila@epa.gov]
Subject: RE: Briefing memo for Janet McCabe
Attachments: EPA-HQ-OAR-2017-0688-0133 Emissions Data for Additional Turbines.pdf

Hi Lea,

The initial petition submitted in August 2019 only included four turbines at Sabine Pass, and didn't have the Corpus Christi facility at all. In their comments on the proposed removal of the stay, Cheniere referenced having 50 turbines between the two facilities. We looked into their permits and determined that there were also additional turbines under construction that were expected to commence operation in the near future, which made for a total of 58 turbines between the two facilities. We went back to the petitioners and asked them to revise their petition to include the additional Cheniere turbines, which they did in November 2019. We also modeled the 58 Cheniere turbines for the RTR final rule.

According to the new letter from Cheniere, they now have 62 turbines, so the risk analysis that was previously conducted doesn't quite have all their turbines, since it just had 58.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Anderson, Lea <anderson.lea@epa.gov>
Sent: Tuesday, March 29, 2022 1:31 PM
To: King, Melanie <King.Melanie@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>
Subject: RE: Briefing memo for Janet McCabe

Melanie,

Ex. 5 Deliberative Process (DP)

Lea Anderson (she/her/hers)
(202) 564-5571

From: King, Melanie <King.Melanie@epa.gov>
Sent: Tuesday, March 29, 2022 1:15 PM
To: Hutson, Nick <Hutson.Nick@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>
Cc: Anderson, Lea <anderson.lea@epa.gov>
Subject: RE: Briefing memo for Janet McCabe

There is also a section on "Key Issues" in the Briefing Memo if you wanted to try to mention something there (or elsewhere in the memo) instead of the pager.

From: Hutson, Nick <Hutson.Nick@epa.gov>
Sent: Tuesday, March 29, 2022 1:12 PM
To: Igoe, Sheila <Igoe.Sheila@epa.gov>

Cc: King, Melanie <King.Melanie@epa.gov>; Anderson, Lea <anderson.lea@epa.gov>

Subject: RE: Briefing memo for Janet McCabe

Ex. 5 AC/AWP/DP

Nick Hutson, PhD

Group Leader
Energy Strategies Group
Office of Air Quality Planning & Standards
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
Office: 919 541 2968
Mobile: 919 864-1853
email: hutson.nick@epa.gov

From: Igoe, Sheila <Igoe.Sheila@epa.gov>

Sent: Tuesday, March 29, 2022 1:05 PM

To: Hutson, Nick <Hutson.Nick@epa.gov>

Cc: King, Melanie <King.Melanie@epa.gov>; Anderson, Lea <anderson.lea@epa.gov>

Subject: RE: Briefing memo for Janet McCabe

Ex. 5 AC/AWP/DP

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

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From: Hutson, Nick <Hutson.Nick@epa.gov>

Sent: Tuesday, March 29, 2022 12:58 PM

To: Igoe, Sheila <Igoe.Sheila@epa.gov>

Cc: King, Melanie <King.Melanie@epa.gov>; Anderson, Lea <anderson.lea@epa.gov>

Subject: Re: Briefing memo for Janet McCabe

Sheila ... OGC should mention those legal considerations during the meeting.

Nick

Sent from my iPhone

On Mar 29, 2022, at 12:43 PM, Igoe, Sheila <Igoe.Sheila@epa.gov> wrote:

Ex. 5 AC/AWP/DP

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

CONFIDENTIALITY NOTICE: This message may contain deliberative, attorney-client, or otherwise privileged material. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, please contact the sender and delete all copies

Message

From: Igoe, Sheila [Igoe.Sheila@epa.gov]
Sent: 3/29/2022 8:31:24 PM
To: Mills, Kathy [Mills.Kathy@epa.gov]; King, Melanie [King.Melanie@epa.gov]; Hutson, Nick [Hutson.Nick@epa.gov]
Subject: RE: King, Melanie shared "2022 03 29 OAR Briefing Memo_Turbine NESHAP - Cheniere Energy Letter" with you.

done

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

CONFIDENTIALITY NOTICE: This message may contain deliberative, attorney-client, or otherwise privileged material. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, please contact the sender and delete all copies

From: Mills, Kathy <Mills.Kathy@epa.gov>
Sent: Tuesday, March 29, 2022 3:49 PM
To: Igoe, Sheila <Igoe.Sheila@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>
Subject: RE: King, Melanie shared "2022 03 29 OAR Briefing Memo_Turbine NESHAP - Cheniere Energy Letter" with you.

Everyone done with this doc? I need to move it.
Thanks,
KB

Kathy "KB" Mills ~ SPPD ~ U. S. EPA, OAQPS ~ 919-541-1599

From: Igoe, Sheila <Igoe.Sheila@epa.gov>
Sent: Tuesday, March 29, 2022 3:10 PM
To: King, Melanie <King.Melanie@epa.gov>; Mills, Kathy <Mills.Kathy@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>
Subject: RE: King, Melanie shared "2022 03 29 OAR Briefing Memo_Turbine NESHAP - Cheniere Energy Letter" with you.

Ex. 5 AC/AWP/DP

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

CONFIDENTIALITY NOTICE: This message may contain deliberative, attorney-client, or otherwise privileged material. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, please contact the sender and delete all copies

From: King, Melanie <King.Melanie@epa.gov>
Sent: Tuesday, March 29, 2022 3:06 PM
To: Mills, Kathy <Mills.Kathy@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>
Subject: RE: King, Melanie shared "2022 03 29 OAR Briefing Memo_Turbine NESHAP - Cheniere Energy Letter" with you.

Just need for Sheila to decide whether to insert some discussion about legal considerations in the memo or in the pager.

From: Mills, Kathy <Mills.Kathy@epa.gov>
Sent: Tuesday, March 29, 2022 3:02 PM
To: King, Melanie <King.Melanie@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>
Subject: RE: King, Melanie shared "2022 03 29 OAR Briefing Memo_Turbine NESHAP - Cheniere Energy Letter" with you.

Melanie,
This looks good. Given OAR's 4PM deadline, can I move this to SPPD-IO soon?
Thanks,
KB

Kathy "KB" Mills ~ SPPD ~ U. S. EPA, OAQPS ~ 919-541-1599

From: King, Melanie <King.Melanie@epa.gov>

Sent: Tuesday, March 29, 2022 12:30 PM

To: Hutson, Nick <Hutson.Nick@epa.gov>; Mills, Kathy <Mills.Kathy@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>

Subject: King, Melanie shared "2022 03 29 OAR Briefing Memo_Turbine NESHAP - Cheniere Energy Letter" with you.



King, Melanie shared a file with you

Here is the draft briefing memo for the Cheniere meeting for your review. I'm told this must be completed by 4 p.m. today.



[2022 03 29 OAR Briefing Memo_Turbine NESHAP - Cheniere Energy Letter](#)



This link only works for the direct recipients of this message.

Open

Message

From: King, Melanie [King.Melanie@epa.gov]
Sent: 3/30/2022 1:18:35 PM
To: Hutson, Nick [Hutson.Nick@epa.gov]; Igoe, Sheila [Igoe.Sheila@epa.gov]
Subject: FW: Briefing Materials: DA McCabe Briefing - Video-call: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery, OAR

FYI

From: Moeller, Njeri <Moeller.Njeri@epa.gov>
Sent: Wednesday, March 30, 2022 9:09 AM
To: Mills, Kathy <Mills.Kathy@epa.gov>; King, Melanie <King.Melanie@epa.gov>
Subject: FW: Briefing Materials: DA McCabe Briefing - Video-call: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery, OAR

Good Morning,

Below are a few edits from Joe.

We will only be using the briefing memo for this DA McCabe meeting. To summarize Joe's comments, he wants to highlight the 3 things that Janet needs to know about this issues.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thank you both for your efforts!

Njeri Moeller (she/her/hers)

U.S. Environmental Protection Agency
OAR/OAQPS IO Special Assistant – Detail
109 TW Alexander Drive
Research Triangle Park, NC 27711
Phone: 919-541-1380 | Email: Moeller.njeri@epa.gov

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Tuesday, March 29, 2022 9:07 PM
To: Moeller, Njeri <Moeller.Njeri@epa.gov>; OAR Briefings <OAR_Briefings@epa.gov>
Cc: Koerber, Mike <Koerber.Mike@epa.gov>; Mozingo, Kristal <Mozingo.Kristal@epa.gov>
Subject: RE: Briefing Materials: DA McCabe Briefing - Video-call: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery, OAR

Ex. 5 Deliberative Process (DP)

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Moeller, Njeri <Moeller.Njeri@epa.gov>
Sent: Tuesday, March 29, 2022 4:50 PM
To: OAR Briefings <OAR_Briefings@epa.gov>

Cc: Koerber, Mike <Koerber.Mike@epa.gov>; Mozingo, Kristal <Mozingo.Kristal@epa.gov>

Subject: Briefing Materials: DA McCabe Briefing - Video-call: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery, OAR

Please see the attached materials for the following briefing:

Thursday, March 31, 4:05pm - Video-call: Subpart YYYY NESHAP Compliance and Uncertainty for LNG Delivery, OAR

Njeri Moeller (she/her/hers)

U.S. Environmental Protection Agency

OAR/OAQPS IO Special Assistant – Detail

109 TW Alexander Drive

Research Triangle Park, NC 27711

Phone: 919-541-1380 | Email: Moeller.njeri@epa.gov

Message

From: King, Melanie [King.Melanie@epa.gov]
Sent: 4/19/2022 4:36:29 PM
To: Bremer, Kristen [Bremer.Kristen@epa.gov]; Mills, Kathy [Mills.Kathy@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]; Gmyr, Joanna [Gmyr.Joanna@epa.gov]
CC: Hutson, Nick [Hutson.Nick@epa.gov]; Lassiter, Penny [Lassiter.Penny@epa.gov]; Cozzie, David [Cozzie.David@epa.gov]
Subject: RE: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.
Attachments: AX-22-000-2898 response final signed.pdf

Bracewell sent us a letter on Cheniere's behalf on March 8, which is what the reporter is asking about. We sent a response back to Bracewell on March 28 indicating that we received the request Bracewell sent on behalf of Cheniere and were reviewing the request.

So perhaps it's more clear if we say "On March 28, 2022, EPA sent a letter to Bracewell, acknowledging receipt of the March 8, 2022, request that was sent on Cheniere's behalf. EPA is currently considering the request." Or something to that effect.

Melanie King (she/her)
Energy Strategies Group
Sector Policies and Programs Division
Office of Air Quality Planning and Standards
(919) 541-2469
king.melanie@epa.gov

From: Bremer, Kristen <Bremer.Kristen@epa.gov>
Sent: Tuesday, April 19, 2022 12:32 PM
To: Mills, Kathy <Mills.Kathy@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>; Gmyr, Joanna <Gmyr.Joanna@epa.gov>
Cc: Hutson, Nick <Hutson.Nick@epa.gov>; Lassiter, Penny <Lassiter.Penny@epa.gov>; Cozzie, David <Cozzie.David@epa.gov>; King, Melanie <King.Melanie@epa.gov>
Subject: RE: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

Assuming it should be Bracewell sent a letter to EPA on Cheniere's behalf, correct?

Kristen Bremer
Policy Analysis & Communications
U.S. EPA, Office of Air Quality Planning & Standards
Email: bremers.kristen@epa.gov
Phone: 919.541.9424
Cell: 919.321.7652
Pronouns: she/her/hers

From: Mills, Kathy <Mills.Kathy@epa.gov>
Sent: Tuesday, April 19, 2022 12:30 PM
To: Koerber, Mike <Koerber.Mike@epa.gov>; Bremer, Kristen <Bremer.Kristen@epa.gov>; Gmyr, Joanna <Gmyr.Joanna@epa.gov>
Cc: Hutson, Nick <Hutson.Nick@epa.gov>; Lassiter, Penny <Lassiter.Penny@epa.gov>; Cozzie, David

<Cozzie.David@epa.gov>; King, Melanie <King.Melanie@epa.gov>

Subject: RE: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

Response:

On March 28, 2022, EPA sent a letter to Bracewell, on Cheniere's behalf, acknowledging receipt of the March 8, 2022, request. EPA is currently considering the request.

Kathy "KB" Mills ~ SPPD ~ U. S. EPA, OAQPS ~ 919-541-1599

From: Koerber, Mike <Koerber.Mike@epa.gov>

Sent: Tuesday, April 19, 2022 10:49 AM

To: Bremer, Kristen <Bremer.Kristen@epa.gov>; Mills, Kathy <Mills.Kathy@epa.gov>; Gmyr, Joanna <Gmyr.Joanna@epa.gov>

Cc: Hutson, Nick <Hutson.Nick@epa.gov>; Lassiter, Penny <Lassiter.Penny@epa.gov>; Cozzie, David <Cozzie.David@epa.gov>

Subject: RE: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

Hi, Kristen. I think a more general response is appropriate at this time. Just so you know, there was a meeting with the company on April 15 in which they renewed their request. A follow up meeting is likely.

Mike

From: Bremer, Kristen <Bremer.Kristen@epa.gov>

Sent: Tuesday, April 19, 2022 10:24 AM

To: Koerber, Mike <Koerber.Mike@epa.gov>; Mills, Kathy <Mills.Kathy@epa.gov>; Gmyr, Joanna <Gmyr.Joanna@epa.gov>

Subject: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

We have an inquiry about the March 8 Bracewell letter, on behalf of Cheniere Energy, requesting withdrawal of the Stationary Combustion Turbines NESHAP amendments. The reporter has some specific questions, but do we want to offer a more general, "We're reviewing the letter," response? Let me know. Here are the questions:

- 1) Is there a subject matter expert at EPA who could talk with me about this request and EPA's response to it this afternoon or tomorrow?
- 2) If not, could you please let me know how EPA responded to this March 8 request from Cheniere and what EPA told either Bracewell or Cheniere? Did EPA grant the request, for example, or not, and in either case, what was the EPA reasoning behind its decision?
- 3) Did or will President Biden's recent statement that the US would expedite LNG export regulatory matters in order to speed exports to Europe play into any decision by EPA relative to this request from Bracewell/Cheniere?
- 4) Do you have a specific response to the assertion by Bracewell/Cheniere that it is unreasonable to expect compliance to this regulatory action within 180 days?
- 5) What will happen to the companies that operate stationary combustion turbines covered by this regulatory action cited in the Bracewell letter if they do not demonstrate compliance within 180 days of the rule going into effect?

Deadline is this afternoon. Thanks!

Kristen Bremer
Policy Analysis & Communications

U.S. EPA, Office of Air Quality Planning & Standards
Email: bremer.kristen@epa.gov
Phone: 919.541.9424
Cell: 919.321.7652
Pronouns: she/her/hers

From: Millett, John <Millett.John@epa.gov>
Sent: Tuesday, April 19, 2022 9:16 AM
To: Bremer, Kristen <Bremer.Kristen@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>
Cc: Stevens, Katherine <stevens.katherine@epa.gov>
Subject: Re: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

Inquiry below . . . didn't flag it for anyone yesterday . . .

From: EPA Press Office <Press@epa.gov>
Sent: Monday, April 18, 2022 12:01 PM
To: Millett, John <Millett.John@epa.gov>; Stevens, Katherine <stevens.katherine@epa.gov>
Subject: Fw: Press inquiry

Hi John and Kati - flagging this inquiry for you both.

Taylor Gillespie (she/her)
Strategic Communications Advisor
Environmental Protection Agency
872-276-3635 (mobile)
Twitter: @EPAPressOffice

From: James Bruggers <james.bruggers@insideclimatenews.org>
Sent: Monday, April 18, 2022 11:10 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: EPA Press Office <Press@epa.gov>
Subject: Press inquiry

Hi Enesta,

Good morning.

Bracewell, representing Cheniere Energy, on March 8 wrote a letter to EPA Administrator Michael Regan, regarding: *Request to Withdraw Final Rule and Request for Stay Pending Judicial Review*.

It was CC'd to Joe Goffman and Jeffrie Prieto at EPA.

This was their request:

We submit this letter on behalf of Cheniere Energy, Inc. (Cheniere), which hereby requests the Environmental Protection Agency (EPA) withdraw or stay pending judicial review the rule finalized on February 28, 2022 titled "National Emission Standards for Hazardous Air Pollutants: Stationary Combustion Turbines; Amendments."1 For the reasons discussed below, Cheniere asks EPA to withdraw the rule before it takes effect or, alternatively, stay the rule pending judicial review.

The rule lifts a 2004 regulatory stay of the effectiveness of emission standards for certain stationary combustion turbines and would take effect the day the rule is published in the Federal Register.² If this happens, turbines that were permitted, authorized, built, installed, and operated in reliance on applicable requirements in effect at the time will need to demonstrate compliance with emission standards within 180 days—a timeline that is insufficient to address complex technical and engineering concerns. Not only did Cheniere rely on applicable requirements in effect at the time, but so did the Federal Energy Regulatory Commission, state air permitting authorities operating under EPA-approved programs, and EPA itself, through both its ability to comment on Cheniere’s PSD permits (which include applicable federal requirements) and through its role as a cooperating agency in the FERC permitting process.

The rule would have implications across the domestic energy sector and particularly in the LNG industry at a time when Russia’s invasion of Ukraine has shaken global energy markets and threatens to disrupt energy supply to Europe, where U.S. LNG has a significant role to play in providing reliable supplies of natural gas. Cheniere operates two LNG facilities on the U.S. Gulf Coast where it uses 62 of the combustion turbines that will become subject to the rule. The vast majority of these turbines are necessary to drive compressors integral to the refrigeration process to liquefy natural gas. The design of Cheniere’s LNG terminals is complex, and the subject turbines are located on elevated pedestals with limited space for installing control equipment. Accordingly, significant case-by-case design and engineering work may be required to determine feasibility of control installation and options. Potentially imposing significant costs and operational disruption on the U.S. LNG industry at the same time the Administration is focused on Europe’s strategic need to break its reliance on Russian gas is counterproductive. It is also unnecessary considering that the risks from combustion turbine HAPs are minimal and that EPA is actively considering a petition to delist these very turbines.

Today and tomorrow I will be reporting and writing a story based on Cheniere’s request and ask you the following:

- 1) Is there a subject matter expert at EPA who could talk with me about this request and EPA’s response to it this afternoon or tomorrow?
- 2) If not, could you please let me know how EPA responded to this March 8 request from Cheniere and what EPA told either Bracewell or Cheniere? Did EPA grant the request, for example, or not, and in either case, what was the EPA reasoning behind its decision?
- 3) Did or will President Biden’s recent statement that the US would expedite LNG export regulatory matters in order to speed exports to Europe play into any decision by EPA relative to this request from Bracewell/Cheniere?
- 4) Do you have a specific response to the assertion by Bracewell/Cheniere that it is unreasonable to expect compliance to this regulatory action within 180 days?
- 5) What will happen to the companies that operate stationary combustion turbines covered by this regulatory action cited in the Bracewell letter if they do not demonstrate compliance within 180 days of the rule going into effect?

I have told my editors I plan to file the story by close of business Tuesday. I will appreciate any help you can with these questions.

Thanks,
Jim

James Bruggers
Reporter, Inside Climate News
502-693-0357
Encrypted option: james.bruggers@protonmail.com
Follow me on Twitter @jbruggers

About InsideClimate News

InsideClimate News is an independent, non-profit, non-partisan news organization that covers energy, climate and the environment. It is staffed by professional journalists with decades of experience from leading

media organizations. ICN has earned national recognition for its groundbreaking work including the Pulitzer Prize, as well as many other prestigious awards. To learn more, please visit ICN's [About page](#).

Message

From: Argentieri, Sabrina [argentieri.sabrina@epa.gov]
Sent: 4/19/2022 6:15:26 PM
To: Hutson, Nick [Hutson.Nick@epa.gov]; Igoe, Sheila [Igoe.Sheila@epa.gov]; King, Melanie [King.Melanie@epa.gov]
CC: Honda, Gregory [honda.gregory@epa.gov]
Subject: RE: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

Thanks Nick.

From: Hutson, Nick <Hutson.Nick@epa.gov>
Sent: Tuesday, April 19, 2022 1:29 PM
To: Igoe, Sheila <Igoe.Sheila@epa.gov>; King, Melanie <King.Melanie@epa.gov>
Cc: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Honda, Gregory <honda.gregory@epa.gov>
Subject: RE: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

I'll update this group.

Nick Hutson, PhD

Group Leader
Energy Strategies Group
Office of Air Quality Planning & Standards
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
Office: 919 541 2968
Mobile: 919 864-1853
email: hutson.nick@epa.gov

From: Igoe, Sheila <Igoe.Sheila@epa.gov>
Sent: Tuesday, April 19, 2022 12:46 PM
To: Hutson, Nick <Hutson.Nick@epa.gov>; King, Melanie <King.Melanie@epa.gov>
Cc: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Honda, Gregory <honda.gregory@epa.gov>
Subject: RE: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

Thanks Nick.

I'd be interested in hearing more about the meeting so that I can keep Lea and Matt informed if you are able to share what you hear from Peter. I'm sure I'll get another request for an update from DOJ soon as well.

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

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From: Hutson, Nick <Hutson.Nick@epa.gov>
Sent: Tuesday, April 19, 2022 11:18 AM

To: King, Melanie <King.Melanie@epa.gov>

Cc: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>; Honda, Gregory <honda.gregory@epa.gov>

Subject: RE: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

I believe they met w/ Joe G and Peter T (... not sure who else).

Peter sent me an email this morning asking if we can chat today at 5:30 PM. I guess I'll learn more then.

Nick

Nick Hutson, PhD

Group Leader

Energy Strategies Group

Office of Air Quality Planning & Standards

U.S. Environmental Protection Agency

Research Triangle Park, NC 27711

Office: 919 541 2968

Mobile: 919 864-1853

email: hutson.nick@epa.gov

From: King, Melanie <King.Melanie@epa.gov>

Sent: Tuesday, April 19, 2022 11:12 AM

To: Hutson, Nick <Hutson.Nick@epa.gov>

Cc: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>; Honda, Gregory <honda.gregory@epa.gov>

Subject: RE: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

Nick,

Sabrina had just asked yesterday if there were any new developments w.r.t. Cheniere. Do you know who met with them, and if OAR has any plans to take any action in response to their request?

From: Mills, Kathy <Mills.Kathy@epa.gov>

Sent: Tuesday, April 19, 2022 10:54 AM

To: King, Melanie <King.Melanie@epa.gov>

Subject: FW: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

fyi

Kathy "KB" Mills ~ SPPD ~ U. S. EPA, OAQPS ~ 919-541-1599

From: Koerber, Mike <Koerber.Mike@epa.gov>

Sent: Tuesday, April 19, 2022 10:49 AM

To: Bremer, Kristen <Bremer.Kristen@epa.gov>; Mills, Kathy <Mills.Kathy@epa.gov>; Gmyr, Joanna <Gmyr.Joanna@epa.gov>

Cc: Hutson, Nick <Hutson.Nick@epa.gov>; Lassiter, Penny <Lassiter.Penny@epa.gov>; Cozzie, David <Cozzie.David@epa.gov>

Subject: RE: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

Hi, Kristen. I think a more general response is appropriate at this time. Just so you know, there was a meeting with the company on April 15 in which they renewed their request. A follow up meeting is likely.

Mike

From: Bremer, Kristen <Bremer.Kristen@epa.gov>

Sent: Tuesday, April 19, 2022 10:24 AM

To: Koerber, Mike <Koerber.Mike@epa.gov>; Mills, Kathy <Mills.Kathy@epa.gov>; Gmyr, Joanna <Gmyr.Joanna@epa.gov>

Subject: MEDIA INQUIRY: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

We have an inquiry about the March 8 Bracewell letter, on behalf of Cheniere Energy, requesting withdrawal of the Stationary Combustion Turbines NESHAP amendments. The reporter has some specific questions, but do we want to offer a more general, "We're reviewing the letter," response? Let me know. Here are the questions:

- 1) Is there a subject matter expert at EPA who could talk with me about this request and EPA's response to it this afternoon or tomorrow?
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- 4) Do you have a specific response to the assertion by Bracewell/Cheniere that it is unreasonable to expect compliance to this regulatory action within 180 days?
- 5) What will happen to the companies that operate stationary combustion turbines covered by this regulatory action cited in the Bracewell letter if they do not demonstrate compliance within 180 days of the rule going into effect?

Deadline is this afternoon. Thanks!

Kristen Bremer
Policy Analysis & Communications
U.S. EPA, Office of Air Quality Planning & Standards
Email: bremer.kristen@epa.gov
Phone: 919.541.9424
Cell: 919.321.7652
Pronouns: she/her/hers

From: Millett, John <Millett.John@epa.gov>

Sent: Tuesday, April 19, 2022 9:16 AM

To: Bremer, Kristen <Bremer.Kristen@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>

Cc: Stevens, Katherine <stevens.katherine@epa.gov>

Subject: Re: Cheniere Correspondence: Request to Withdraw Final Rule and Request for Stay Pending Judicial Review.

Inquiry below . . . didn't flag it for anyone yesterday . . .

From: EPA Press Office <Press@epa.gov>
Sent: Monday, April 18, 2022 12:01 PM
To: Millett, John <Millett.John@epa.gov>; Stevens, Katherine <stevens.katherine@epa.gov>
Subject: Fw: Press inquiry

Hi John and Kati - flagging this inquiry for you both.

Taylor Gillespie (she/her)
Strategic Communications Advisor
Environmental Protection Agency
872-276-3635 (mobile)
Twitter: @EPAPressOffice

From: James Bruggers <james.bruggers@insideclimatenews.org>
Sent: Monday, April 18, 2022 11:10 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: EPA Press Office <Press@epa.gov>
Subject: Press inquiry

Hi Enesta,

Good morning.

Bracewell, representing Cheniere Energy, on March 8 wrote a letter to EPA Administrator Michael Regan, regarding: *Request to Withdraw Final Rule and Request for Stay Pending Judicial Review*.

It was CC'd to Joe Goffman and Jeffrie Prieto at EPA.

This was their request:

We submit this letter on behalf of Cheniere Energy, Inc. (Cheniere), which hereby requests the Environmental Protection Agency (EPA) withdraw or stay pending judicial review the rule finalized on February 28, 2022 titled "National Emission Standards for Hazardous Air Pollutants: Stationary Combustion Turbines; Amendments."¹ For the reasons discussed below, Cheniere asks EPA to withdraw the rule before it takes effect or, alternatively, stay the rule pending judicial review.

The rule lifts a 2004 regulatory stay of the effectiveness of emission standards for certain stationary combustion turbines and would take effect the day the rule is published in the Federal Register.² If this happens, turbines that were permitted, authorized, built, installed, and operated in reliance on applicable requirements in effect at the time will need to demonstrate compliance with emission standards within 180 days—a timeline that is insufficient to address complex technical and engineering concerns. Not only did Cheniere rely on applicable requirements in effect at the time, but so did the Federal Energy Regulatory Commission, state air permitting authorities operating under EPA-approved programs, and EPA itself, through both its ability to comment on Cheniere's PSD permits (which include applicable federal requirements) and through its role as a cooperating agency in the FERC permitting process.

The rule would have implications across the domestic energy sector and particularly in the LNG industry at a time when Russia's invasion of Ukraine has shaken global energy markets and threatens to disrupt energy supply to Europe, where U.S. LNG has a significant role to play in providing reliable supplies of natural gas. Cheniere operates two LNG facilities on the U.S. Gulf Coast where it uses 62 of the combustion turbines that will become

subject to the rule. The vast majority of these turbines are necessary to drive compressors integral to the refrigeration process to liquefy natural gas. The design of Cheniere's LNG terminals is complex, and the subject turbines are located on elevated pedestals with limited space for installing control equipment. Accordingly, significant case-by-case design and engineering work may be required to determine feasibility of control installation and options. Potentially imposing significant costs and operational disruption on the U.S. LNG industry at the same time the Administration is focused on Europe's strategic need to break its reliance on Russian gas is counterproductive. It is also unnecessary considering that the risks from combustion turbine HAPs are minimal and that EPA is actively considering a petition to delist these very turbines.

Today and tomorrow I will be reporting and writing a story based on Cheniere's request and ask you the following:

- 1) Is there a subject matter expert at EPA who could talk with me about this request and EPA's response to it this afternoon or tomorrow?
- 2) If not, could you please let me know how EPA responded to this March 8 request from Cheniere and what EPA told either Bracewell or Cheniere? Did EPA grant the request, for example, or not, and in either case, what was the EPA reasoning behind its decision?
- 3) Did or will President Biden's recent statement that the US would expedite LNG export regulatory matters in order to speed exports to Europe play into any decision by EPA relative to this request from Bracewell/Cheniere?
- 4) Do you have a specific response to the assertion by Bracewell/Cheniere that it is unreasonable to expect compliance to this regulatory action within 180 days?
- 5) What will happen to the companies that operate stationary combustion turbines covered by this regulatory action cited in the Bracewell letter if they do not demonstrate compliance within 180 days of the rule going into effect?

I have told my editors I plan to file the story by close of business Tuesday. I will appreciate any help you can with these questions.

Thanks,
Jim

James Bruggers
Reporter, Inside Climate News
502-693-0357
Encrypted option: james.bruggers@protonmail.com
Follow me on Twitter @jbruggers

About InsideClimate News

InsideClimate News is an independent, non-profit, non-partisan news organization that covers energy, climate and the environment. It is staffed by professional journalists with decades of experience from leading media organizations. ICN has earned national recognition for its groundbreaking work including the Pulitzer Prize, as well as many other prestigious awards. To learn more, please visit ICN's [About page](#).

Message

From: Jordan, Scott [Jordan.Scott@epa.gov]
Sent: 5/26/2022 11:56:53 AM
To: King, Melanie [King.Melanie@epa.gov]; Anderson, Lea [anderson.lea@epa.gov]; Igoe, Sheila [Igoe.Sheila@epa.gov]
CC: Hutson, Nick [Hutson.Nick@epa.gov]; Honda, Gregory [honda.gregory@epa.gov]
Subject: RE: draft pager on Cheniere subcategory request

I think this looks really good. I made a few editorial suggestions and had one question, and provided some additional text on the litigation risk point.

Thanks,

Scott Jordan
Air and Radiation Law Office
Office of General Counsel
202-564-7508

I am an EPA LGBTQ+ Ally
Pronouns: he/him/his

From: King, Melanie <King.Melanie@epa.gov>
Sent: Wednesday, May 25, 2022 4:29 PM
To: Anderson, Lea <anderson.lea@epa.gov>; Jordan, Scott <Jordan.Scott@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>
Cc: Hutson, Nick <Hutson.Nick@epa.gov>; Honda, Gregory <honda.gregory@epa.gov>
Subject: draft pager on Cheniere subcategory request

Here is the draft pager discussing the pros/cons of the suggested Turbine NESHAP subcategory for Cheniere's turbines for your review.

Ex. 5 AC/AWP/DP

Ex. 5 AC/AWP/DP

 Turbine NESHAP - Cheniere Subcategory Pager.docx

Melanie King (she/her)
Energy Strategies Group
Sector Policies and Programs Division
Office of Air Quality Planning and Standards
(919) 541-2469
king.melanie@epa.gov

Message

From: Argentieri, Sabrina [argentieri.sabrina@epa.gov]
Sent: 3/10/2022 3:34:51 PM
To: Igoe, Sheila [Igoe.Sheila@epa.gov]; Culligan, Kevin [Culligan.Kevin@epa.gov]; Hutson, Nick [Hutson.Nick@epa.gov]
CC: King, Melanie [King.Melanie@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Ayres, Sara [Ayres.Sara@epa.gov]; Anderson, Lea [anderson.lea@epa.gov]
Subject: RE: Bracewell letter re Cheniere

Ex. 5 AC/AWP/DP

From: Igoe, Sheila <Igoe.Sheila@epa.gov>
Sent: Thursday, March 10, 2022 10:22 AM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>
Cc: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>; Anderson, Lea <anderson.lea@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Ex. 5 AC/AWP/DP

Happy to discuss further if that would help.

Ex. 5 AC/AWP/DP

Ex. 5 AC/AWP/DP

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

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From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Thursday, March 10, 2022 10:06 AM
To: Hutson, Nick <Hutson.Nick@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>
Cc: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Ex. 5 AC/AWP/DP

From: Hutson, Nick <Hutson.Nick@epa.gov>
Sent: Thursday, March 10, 2022 9:59 AM
To: Igoe, Sheila <lgoe.Sheila@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>
Cc: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>
Subject: Re: Bracewell letter re Cheniere

Adding Kevin ... who will likely know more about OAR's thoughts on this.

Kevin ... should we prepare a briefing or pager on this?

Nick

Sent from my iPhone

On Mar 10, 2022, at 9:52 AM, Igoe, Sheila <lgoe.Sheila@epa.gov> wrote:

Ex. 5 AC/AWP/DP

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

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From: Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Sent: Thursday, March 10, 2022 9:31 AM
To: Igoe, Sheila <lgoe.Sheila@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Ex. 5 Deliberative Process (DP)

From: Igoe, Sheila <lgoe.Sheila@epa.gov>
Sent: Thursday, March 10, 2022 9:26 AM
To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Hutson,

Nick <Hutson.Nick@epa.gov>

Subject: RE: Bracewell letter re Cheniere

ICYMI

E&E News | Article | CERAWEEK: Granholm, gas and 'collapse the bureaucracy' (politicopro.com)

The U.S. is already exporting 12 billion cubic feet of liquefied natural gas, or LNG, a day mostly to Europe, and total exports could grow by 4 billion cubic feet a day by 2024, Granholm said at the CERAWEEK by S&P Global conference here.

"Clearly LNG is a big part of this equation," Granholm said. "We have got to do our part to ensure that others are not hurting."

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

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From: Argentieri, Sabrina <argentieri.sabrina@epa.gov>

Sent: Wednesday, March 09, 2022 3:59 PM

To: Igoe, Sheila <igoe.sheila@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Thanks Sheila!

From: Igoe, Sheila <igoe.sheila@epa.gov>

Sent: Wednesday, March 9, 2022 12:01 PM

To: King, Melanie <King.Melanie@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Subject: RE: Bracewell letter re Cheniere

These might be helpful for overview

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

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From: King, Melanie <King.Melanie@epa.gov>

Sent: Wednesday, March 09, 2022 11:59 AM

To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Igoe, Sheila <igoe.sheila@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Subject: RE: Bracewell letter re Cheniere

We haven't created any regarding the Cheniere issue. I have some older ones just generically about the rule if they would be helpful. I think I may have even sent you guys one last year when we were in contact regarding the response to comments on the proposal.

Melanie King (she/her)

Energy Strategies Group
Sector Policies and Programs Division
Office of Air Quality Planning and Standards
(919) 541-2469
king.melanie@epa.gov

From: Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Sent: Wednesday, March 9, 2022 10:15 AM
To: Igoe, Sheila <igoe.sheila@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>
Subject: FW: Bracewell letter re Cheniere

Hi Sheila and Sara,

Greg is in search of any briefing materials created for the CT NESHAP. He asked OAR, but I thought I would ask you as well.

Thanks,

Sabrina

From: Fried, Gregory <Fried.Gregory@epa.gov>
Sent: Wednesday, March 9, 2022 9:38 AM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Kevin/Nick,

Is there briefing material we share with our mgt.

Greg

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Wednesday, March 9, 2022 8:36 AM
To: Hutson, Nick <Hutson.Nick@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Ex. 5 Deliberative Process (DP)

From: Hutson, Nick <Hutson.Nick@epa.gov>
Sent: Wednesday, March 09, 2022 8:32 AM
To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Adding Kevin ... I do not know the answer to this question ... but Kevin may.

Do you know if/when Joe or Tomas is going to reach out to Larry?

Nick Hutson, PhD

Group Leader
Energy Strategies Group
Office of Air Quality Planning & Standards
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
Office: 919 541 2968
Mobile: 919 864-1853
email: hutson.nick@epa.gov

From: Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Sent: Wednesday, March 09, 2022 8:29 AM
To: Hutson, Nick <Hutson.Nick@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Thanks Nick and Melanie. I briefed Greg and Sara after our call about Cheniere's verbal request.

Ex. 5 Deliberative Process (DP)

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Do you know if/when Joe or Tomas is going to reach out to Larry?

Greg, did Rosemarie want this flagged for Larry on Thursday?

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FYI

Nick Hutson, PhD

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email: hutson.nick@epa.gov

From: Culligan, Kevin <Culligan.Kevin@epa.gov>

Sent: Wednesday, March 09, 2022 7:17 AM

To: Lassiter, Penny <Lassiter.Penny@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; King, Melanie <King.Melanie@epa.gov>

Cc: Koerber, Mike <Koerber.Mike@epa.gov>

Subject: FW: Bracewell letter re Cheniere

I imagine this will still get controlled down to us.

From: Carbonell, Tomas <Carbonell.Tomas@epa.gov>

Sent: Tuesday, March 08, 2022 10:23 PM

To: Culligan, Kevin <Culligan.Kevin@epa.gov>

Subject: Bracewell letter re Cheniere

In case you have not seen this...

Message

From: King, Melanie [King.Melanie@epa.gov]
Sent: 3/10/2022 2:59:34 PM
To: Igoe, Sheila [Igoe.Sheila@epa.gov]; Argentieri, Sabrina [argentieri.sabrina@epa.gov]; Hutson, Nick [Hutson.Nick@epa.gov]
CC: Fried, Gregory [Fried.Gregory@epa.gov]; Ayres, Sara [Ayres.Sara@epa.gov]
Subject: RE: Bracewell letter re Cheniere
Attachments: U.S.liquefactioncapacity.xlsx

Ex. 5 Deliberative Process (DP)

It seems pretty clear that their two facilities represent a big chunk of the LNG exports – I was looking at this spreadsheet from EIA and the two Cheniere facilities are about half of the capacity if you look at the baseload capacity from the facilities that are in operation, they are about half of the total.

From: Igoe, Sheila <Igoe.Sheila@epa.gov>
Sent: Thursday, March 10, 2022 9:53 AM
To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Ex. 5 AC/AWP/DP

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

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ICYMI

E&E News | Article | CERAWeek: Granholm, gas and 'collapse the bureaucracy' (politicopro.com)

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"Clearly LNG is a big part of this equation," Granholm said. "We have got to do our part to ensure that others are not hurting."

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Thanks Sheila!

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Subject: RE: Bracewell letter re Cheniere

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king.melanie@epa.gov

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To: Culligan, Kevin <Culligan.Kevin@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>
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Nick Hutson, PhD

Group Leader
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U.S. Environmental Protection Agency
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Office: 919 541 2968
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Subject: RE: Bracewell letter re Cheniere

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Cc: King, Melanie <King.Melanie@epa.gov>

Subject: FW: Bracewell letter re Cheniere

FYI

Nick Hutson, PhD

Group Leader
Energy Strategies Group
Office of Air Quality Planning & Standards
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
Office: 919 541 2968
Mobile: 919 864-1853
email: hutson.nick@epa.gov

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Wednesday, March 09, 2022 7:17 AM
To: Lassiter, Penny <Lassiter.Penny@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; King, Melanie <King.Melanie@epa.gov>
Cc: Koerber, Mike <Koerber.Mike@epa.gov>
Subject: FW: Bracewell letter re Cheniere

I imagine this will still get controlled down to us.

From: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Sent: Tuesday, March 08, 2022 10:23 PM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: Bracewell letter re Cheniere

In case you have not seen this...

Message

From: King, Melanie [King.Melanie@epa.gov]
Sent: 3/10/2022 3:53:42 PM
To: Ayres, Sara [Ayres.Sara@epa.gov]; Argentieri, Sabrina [argentieri.sabrina@epa.gov]; Igoe, Sheila [Igoe.Sheila@epa.gov]; Hutson, Nick [Hutson.Nick@epa.gov]
CC: Fried, Gregory [Fried.Gregory@epa.gov]; Culligan, Kevin [Culligan.Kevin@epa.gov]
Subject: RE: Bracewell letter re Cheniere

When we spoke to them this week they said they hadn't done any testing: **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP)

I've been looking at the permits for the other LNG facilities that are in operation according to the EIA spreadsheet and the Cameron facility also appears to have turbines and be a major source of HAP:

<https://edms.deq.louisiana.gov/app/doc/view?doc=11978646>. We didn't even have it on our facility list **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

The others seem to either not be major sources of HAP or not use turbines to power their operation.

From: Ayres, Sara <Ayres.Sara@epa.gov>
Sent: Thursday, March 10, 2022 10:51 AM
To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Ex. 5 Deliberative Process (DP)

Sara Ayres
Air Branch
USEPA / OECA / OC / MAMPD
ayres.sara@epa.gov
(312) 353-6266

From: Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Sent: Thursday, March 10, 2022 9:39 AM
To: King, Melanie <King.Melanie@epa.gov>; Igoe, Sheila <Igoe.Sheila@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Ex. 5 AC/DP

From: King, Melanie <King.Melanie@epa.gov>
Sent: Thursday, March 10, 2022 10:22 AM
To: Igoe, Sheila <Igoe.Sheila@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Hutson, Nick

<Hutson.Nick@epa.gov>

Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>; Culligan, Kevin

<Culligan.Kevin@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Adding Kevin since we have two different email chains going. It doesn't appear that any of these other LNG facilities are on our list of affected sources.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Igoe, Sheila <Igoe.Sheila@epa.gov>

Sent: Thursday, March 10, 2022 10:04 AM

To: King, Melanie <King.Melanie@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>

Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Ex. 5 AC/AWP/DP

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

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From: King, Melanie <King.Melanie@epa.gov>

Sent: Thursday, March 10, 2022 10:00 AM

To: Igoe, Sheila <Igoe.Sheila@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>

Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Ex. 5 Deliberative Process (DP)

It seems pretty clear that their two facilities represent a big chunk of the LNG exports – I was looking at this spreadsheet from EIA and the two Cheniere facilities are about half of the capacity if you look at the baseload capacity from the facilities that are in operation, they are about half of the total.

From: Igoe, Sheila <Igoe.Sheila@epa.gov>

Sent: Thursday, March 10, 2022 9:53 AM

To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>

Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Ex. 5 AC/AWP/DP

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From: Argentieri, Sabrina <argentieri.sabrina@epa.gov>

Sent: Thursday, March 10, 2022 9:31 AM

To: Igoe, Sheila <Igoe.Sheila@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>

Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Ex. 5 Deliberative Process (DP)

From: Igoe, Sheila <Igoe.Sheila@epa.gov>

Sent: Thursday, March 10, 2022 9:26 AM

To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>

Subject: RE: Bracewell letter re Cheniere

ICYMI

E&E News | Article | CERAWEEK: Granholm, gas and 'collapse the bureaucracy' (politicopro.com)

The U.S. is already exporting 12 billion cubic feet of liquefied natural gas, or LNG, a day mostly to Europe, and total exports could grow by 4 billion cubic feet a day by 2024, Granholm said at the CERAWEEK by S&P Global conference here.

"Clearly LNG is a big part of this equation," Granholm said. "We have got to do our part to ensure that others are not hurting."

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

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From: Argentieri, Sabrina <argentieri.sabrina@epa.gov>

Sent: Wednesday, March 09, 2022 3:59 PM

To: Igoe, Sheila <Igoe.Sheila@epa.gov>; King, Melanie <King.Melanie@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Thanks Sheila!

From: Igoe, Sheila <Igoe.Sheila@epa.gov>

Sent: Wednesday, March 9, 2022 12:01 PM

To: King, Melanie <King.Melanie@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Subject: RE: Bracewell letter re Cheniere

These might be helpful for overview

Sheila Igoe | US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5513

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From: King, Melanie <King.Melanie@epa.gov>

Sent: Wednesday, March 09, 2022 11:59 AM

To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Igoe, Sheila <lgoe.Sheila@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Subject: RE: Bracewell letter re Cheniere

We haven't created any regarding the Cheniere issue. I have some older ones just generically about the rule if they would be helpful. I think I may have even sent you guys one last year when we were in contact regarding the response to comments on the proposal.

Melanie King (she/her)
Energy Strategies Group
Sector Policies and Programs Division
Office of Air Quality Planning and Standards
(919) 541-2469
king.melanie@epa.gov

From: Argentieri, Sabrina <argentieri.sabrina@epa.gov>

Sent: Wednesday, March 9, 2022 10:15 AM

To: Igoe, Sheila <lgoe.Sheila@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>

Cc: King, Melanie <King.Melanie@epa.gov>

Subject: FW: Bracewell letter re Cheniere

Hi Sheila and Sara,

Greg is in search of any briefing materials created for the CT NESHAP. He asked OAR, but I thought I would ask you as well.

Thanks,

Sabrina

From: Fried, Gregory <Fried.Gregory@epa.gov>

Sent: Wednesday, March 9, 2022 9:38 AM

To: Culligan, Kevin <Culligan.Kevin@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>

Cc: King, Melanie <King.Melanie@epa.gov>

Subject: RE: Bracewell letter re Cheniere

Kevin/Nick,

Is there briefing material we share with our mgt.

Greg

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Wednesday, March 9, 2022 8:36 AM
To: Hutson, Nick <Hutson.Nick@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Ex. 5 Deliberative Process (DP)

From: Hutson, Nick <Hutson.Nick@epa.gov>
Sent: Wednesday, March 09, 2022 8:32 AM
To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Adding Kevin ... I do not know the answer to this question ... but Kevin may.

Do you know if/when Joe or Tomas is going to reach out to Larry?

Nick Hutson, PhD

Group Leader
Energy Strategies Group
Office of Air Quality Planning & Standards
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
Office: 919 541 2968
Mobile: 919 864-1853
email: hutson.nick@epa.gov

From: Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Sent: Wednesday, March 09, 2022 8:29 AM
To: Hutson, Nick <Hutson.Nick@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>
Subject: RE: Bracewell letter re Cheniere

Thanks Nick and Melanie. I briefed Greg and Sara after our call about Cheniere's verbal request. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Do you know if/when Joe or Tomas is going to reach out to Larry?

Greg, did Rosemarie want this flagged for Larry on Thursday?

From: Hutson, Nick <Hutson.Nick@epa.gov>
Sent: Wednesday, March 9, 2022 8:22 AM
To: Fried, Gregory <Fried.Gregory@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Cc: King, Melanie <King.Melanie@epa.gov>
Subject: FW: Bracewell letter re Cheniere

FYI

Nick Hutson, PhD

Group Leader
Energy Strategies Group
Office of Air Quality Planning & Standards
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
Office: 919 541 2968
Mobile: 919 864-1853
email: hutson.nick@epa.gov

From: Culligan, Kevin <Culligan.Kevin@epa.gov>
Sent: Wednesday, March 09, 2022 7:17 AM
To: Lassiter, Penny <Lassiter.Penny@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; King, Melanie <King.Melanie@epa.gov>
Cc: Koerber, Mike <Koerber.Mike@epa.gov>
Subject: FW: Bracewell letter re Cheniere

I imagine this will still get controlled down to us.

From: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Sent: Tuesday, March 08, 2022 10:23 PM
To: Culligan, Kevin <Culligan.Kevin@epa.gov>
Subject: Bracewell letter re Cheniere

In case you have not seen this...